

**From:** Pallito, Joanna  
**Sent:** Friday, April 01, 2016 9:31 AM  
**To:** Marshall, Renita  
**Cc:** Desch, George; Schuren, Alyssa  
**Subject:** FW: Position Pilot Proposal  
**Attachments:** PositionPilot-BillLanguage.pdf; DEC\_Position\_Pilot\_Request\_March 2016.pdf

**Importance:** High

**Categories:** PFOA

Hi Renita: Would you be able to send on Alyssa's behalf (so long as she and/or George are okay with it) a request to Deputy Secretary Clasen on our position pilot proposal? The issue being that unfortunately we have two positions in this request that are very time sensitive/critical (our PFOA position and the Wetlands Program work). Under the Position Pilot legislation once the Agency of Administration has approved our Position Pilot proposal it must be submitted to the Joint Fiscal Committee, Government Accountability Committee, House Committee on Government Operations, and Senate Committee on Government Operations. The committees have 15 days to review and/or ask questions. I've attached the legislation Section E. 100 (d)(4) that outlines the process. This is only our second time exercising this authorization so we just wanted to inquire on the status given the circumstances involved with two of the positions.

Thank you so much!

-----Original Message-----

**From:** Marshall, Renita  
**Sent:** Thursday, March 24, 2016 3:20 PM  
**To:** Clasen, Michael <Michael.Clasen@vermont.gov>  
**Cc:** Pallito, Joanna <Joanna.Pallito@vermont.gov>  
**Subject:** Position Pilot Proposal

Attached please find a Position Pilot Proposal memo. Please let me know if you have any issues receiving this attachment. Thank you.

Renita R. Marshall, Executive Assistant  
Agency of Natural Resources  
Department of Environmental Conservation Commissioner's Office One National Life Drive, Main 2 Montpelier, VT 05620-3520  
(phone) 802-828-1556  
(cell) 802-505-5828  
(email) renita.marshall@vermont.gov

-----Original Message-----

**From:** noreply.DWGWPscanner@state.vt.us [mailto:noreply.DWGWPscanner@state.vt.us]  
**Sent:** Thursday, March 24, 2016 3:12 PM  
**To:** Marshall, Renita <Renita.Marshall@vermont.gov>  
**Subject:** Message from "M207-Ricoh-MPC5503"

This E-mail was sent from "M207-Ricoh-MPC5503" (MP C5503).

Scan Date: 03.24.2016 15:12:10 (-0400)  
Queries to: noreply.DWGWPscanner@state.vt.us

## Sec. E.100 EXECUTIVE BRANCH – POSITION AUTHORIZATIONS

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(d) Position Pilot Program. A Position Pilot is hereby created to assist participating departments in more effectively managing costs of overtime, compensatory time, temporary employees, and contractual work by removing the position cap with the goal of maximizing resources to the greatest benefit of Vermont taxpayers.

(1) Notwithstanding Sec. A.107 of this act, the Agency of Transportation, the Department for Children and Families, the Department of Environmental Conservation, and the Department of Buildings and General Services shall not be subject to the cap on positions for the duration of the Pilot.

(2) Any new positions created under the Pilot shall be authorized by the Secretary of Administration and funded within existing appropriations.

(3) Any new positions created under the Pilot shall not be transferrable outside the agency or department of the Pilot.

(4) At least 15 days prior to the establishment of Pilot positions, the Joint Fiscal Committee, the Government Accountability Committee, and the House and Senate Committees on Government Operations shall be provided a written description from the Pilot entity and the Commissioner of Human Resources of the method for evaluating the cost-effectiveness of the positions.

(5) As part of their annual budget testimony, participating departments shall report on the number and type of positions created under the Pilot and the source of funds used to support the positions, and the performance and cost outcomes associated with the positions.

(6) On or before November 2014, the Commissioner of Human Resources shall provide the Joint Fiscal Committee and the House and Senate Committees on Government Operations a report of any employee impacts such as reduction in force rights that may arise from the implementation of the Pilot.

(7) This Pilot shall sunset on July 1, 2017, unless extended or modified by the General Assembly.



**Vermont Department of Environmental Conservation**  
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*Agency of Natural Resources*

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## MEMORANDUM

**TO:** Michael Clasen, Deputy Secretary, Agency of Administration  
**THRU:** Deborah Markowitz, Secretary, Agency of Natural Resources  
**FROM:** Alyssa Schuren, Commissioner, Department of Environmental Conservation  
**DATE:** March 19, 2016  
**RE:** Position Pilot Proposal

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### Conversion – (1 position):

DEC proposes to convert one temporary position to a Limited Service position, utilizing the Position Pilot. With this position we are able to best leverage an additional \$162,411 in federal funding received through our existing U.S. Environmental Protection Agency (EPA) grant and meet our required deliverables for our Watershed Management Division's Wetlands Program.

*Environmental Scientist II* – This 1.5 year Limited Service position, funded entirely by a federal grant will support the wetlands biomonitoring program to assess the health of wetlands throughout the State. The Wetlands Program has received federal grants for this work in the past which had funded at least two temporary positions for the duration of nearly a year. In this last competitive federal grant round the Wetlands Program had proposed more deliverables in the work plan in order to collect critical additional data which is needed in order to better understand the health of wetland ecosystems across Vermont. The results of this position conversion would lead to a 50% increase in wetland data and reporting, and add a much needed citizen scientist program.

The cost-effectiveness of the newly converted position in this Pilot cannot be calculated in dollars and cents alone. Overall, this proposal will lead to an increase in environmental health protections by improving our knowledge of the condition of our wetland waters of the state and allowing interested members of the public to aid in the collection of wetland data. The commitment the Wetlands Program has made to the EPA to receive the grant necessitates a position which lasts for three quarters of the 2 year grant (1.5 years). Because of this need, the temporary positions no longer appropriately aligns or qualifies under any of the six categories of temporary employees as the position needs to be full-time, year round in order to accomplish the set deliverables. The equivalent of this one full-time limited service position converted into temporary positions would require 2.5 temporary employees throughout the length of the grant and would cost the program 85 additional hours of recruitment and training. Subsequently, using multiple positions to fill a limited service roll would reduce continuity and likely alter the quality of the final EPA deliverables.

#### New Position (3 Positions):

1) DEC proposes one new three-year limited service position. Over a year and half ago we held a week long Lean event (business process improvement) on our department-wide grants and contracts process. The event brought in several external stakeholders, staff from other state entities including Finance & Management, as well as staff from throughout the Department who have been involved in the current process. At the end of the weeklong event an implementation plan was derived by the team which included steps to achieve a “good” and “great” future state process for the well over 240~ agreements administered and awarded annually from DEC. Under the old “current state” we had over 60~ technical/program (scientists, environmental analysts, etc.) staff involved in administering grants and contracts in some context or another along with one position within our DEC Business Office. It was determined as part of “good” future state that we would streamline this process by not only applying automation where possible and removing unnecessary steps/duplications, but by creating a Grants Management Specialist structure which allowed us to dramatically reduce the number of technical/program staff from the administration aspect of our grants/contracts, allowing them to provide the content and expertise to only the scope and required services portion of an agreement thereby freeing their time to focus back on the higher value program work at hand.

As part of the implementation plan to our future state it was determined that based on the average number of agreements issued annually (~240) that the staff resources needed would be 2-3 full-time Grants Management Specialist (GMS) positions. We currently have two (2) GMS positions that we were able to establish through the use of an existing position in the DEC Business Office and the reallocation of an existing staff resource collectively derived from the efficiencies we have gained by the streamlining of this grants/contracts process. This new limited service position, through the Pilot, would allow us to get the 3<sup>rd</sup> position that’s desperately needed and was identified during our event in order to properly administer and manage the significant number of pass through agreements flowing through DEC annually. This need is even more critical than ever as the magnitude of agreements and related workload in this area is growing dramatically as a result of a significant increase in the number of projects we are already seeing annually as well as the onset of the new Clean Water Fund Initiative, a new Drinking Water Asset Management grant program and our Solid Waste Program is working to develop an “Organics” grant program.

We currently pass through over 240 agreements annually which in SFY’15 totaled approximately \$7.4 million between a combination of grants and contracts and we expect the amount in SFY’17 to be over \$15 million based on the number of projects we are experiencing and new programs detailed above. Under our current GMS staffing level of two positions, DEC is already having difficulties with administering agreements in a timely and most effective manner, and with the additional workload associated with the new programs it simply won’t be feasible to manage. Therefore, we are requesting this new limited service position which will provide the resources necessary to ensure all agreements are administered and managed in accordance with all state and federal regulations.

Grants Management Specialist – This 3 year limited service position, funded by an existing intradepartmental allocation, will support the DEC Financial Operations Section in our Administration & Innovation Division serving as a direct resource to the various media programs and divisions across the entire Department to administer grants and contracts. These funds are available within our Financial Operations Section due to the availability of existing

unliquidated federal EPA state revolving loan funds (SRF) and federal indirects that we are able to leverage for the foreseeable next 3 years. The cost-effectiveness of the new position in this Pilot cannot be calculated in dollars and cents alone. Overall, this proposal will lead to an ability to administer the increase in the number of agreements that will be need to be executed and administered effectively and efficiently while ensuring all state and federal regulations are adhered to in the process.

2) DEC proposes a new 1 year limited service position to assist our Waste Management & Prevention Division with response to the recent PFOA contamination issue discovered in North Bennington. This position will be initially funded using the DEC's Environmental Contingency Fund. This fund has sufficient funds to support this position, however we are also in communication with the potential responsible party, Saint-Gobain, about reimbursing these costs. Although we expect that they will fund this limited service position for the duration, this has not been formally agreed upon as of yet.

Environmental Analyst IV -- The proposed position title that is needed is an Environmental Analyst IV given the level and nature of work involved. There a tremendous amount of work that needs to be accomplished to address this serious PFOA contamination issue in North Bennington. Our plan is to have this limited service position assume the duties of one of our current hazardous sites staff at this Environmental Analyst IV level. They would take on the daily job duties and functions involving the site management work needed to be performed for the North Bennington PFOA site. We will be seeking candidates with considerable scientific experience and expertise in hydrogeology, site remediation or related experience. This position would be assigned to directly assist the North Bennington PFOA Project Manager in analyzing fate and transport models, evaluating the completeness of the site investigation, and review of the corrective action plan as well as in providing oversight of the implementation of the determined remedy.

3) DEC proposes a new position to work within our Solid Waste Program, to be funded with available solid waste certification permit funds. The position would be an Environmental Technician III to assist with the myriad of work detailed below. Currently there are 14 staff in the Solid Waste Program, not including the 2 dedicated positions that are funded and work strictly on the State of Vermont's E-Waste Program; this is the same level of staffing as in 2009. Although the Solid Waste Program is essentially at the same staffing level as it was in 2009, over the past 6 years, there have been many new initiatives in Solid Waste Program that did not exist prior to 2009; these initiatives include several Extended Producer Responsibility (EPR) programs, Universal Recycling, Architectural Waste, and Beyond Waste.

Environmental Technician III -- While it is exciting to be able to implement such environmentally critical new programs, we are finding it challenging given existing resources. In an effort to juggle the new work that has come into the Program with several of these initiatives all while managing the existing work we are proposing to create a new position which will assume the duties summarized below.

- Processing of all hauler permit applications and payments for haulers permits for solid waste, hazardous waste, and residuals (sludge and septage), and maintaining the transporter database. This is a statutory requirement and there are approximately 300 haulers in the state requiring such permits. The process includes review of the applications and also conducting statutorily required background checks for all solid waste haulers.
- Processing annual payments to the Solid Waste Program for facility certifications.

- Review and verification of Franchise Fee forms submitted by all registered facilities and haulers.
- Reviewing and verifying submittals of quarterly and annual facility reporting data, which are submitted electronically using the ReTRAC system. This review is critical to ensure submittal of required information as well as data integrity so that the information can be used to track our Vermont's waste diversion progress, this review is essential to the Program.
- Entering all certification and IWMEA applications into the Programs database prior to the application being assigned, and entering critical information such as certification expiration dates in the database upon issuance of certifications.
- Posting and tracking all public notices to the Electronic Notice Board (ENB) and coordinating with program staff on comments received, in anticipation of implementing S.123 and the revised Solid Waste Rule public notice process.
- Assisting with Web updates and keeping program information current on the DEC public website.
- Assisting with electronic forms development and testing for online processing via our ANROnline submittal portal.
- There is also a substantial effort underway to implement an enterprise content management system (ECMS) platform within ANR-DEC. The waste transporter program located within the larger Solid Waste Program in particular is one of the 6 pilot programs for initial implementation and this position will assist with that rollout.

Each of these four positions are critical to the specific efforts detailed above and should you have any questions or require additional information please do not hesitate to contact us directly. Thank you.

Attachment

**Dept. of Environmental Conservation - Position Pilot - DHR Job Title Requests**

<b>new position number</b>	<b>Position Job Title Requested</b>	<b>Job Code</b>	<b>Position Type</b>	<b>Department ID</b>	<b>Workstation Zip Code</b>	<b>Supervisor's Position Number</b>	<b>Supervisor's Name</b>
	Env Scient II AC General	145703	1.5 year Ltd. Service	6140040240	05602	660045	Laura Lapierre
	Grants Management Specialist	049601	3 year Ltd. Service	6140020120	05602	660328	Tracy LaFrance
	Environmental Analyst IV: General	145208	1 year Ltd. Service	6140030245	05602	660003	Matthew Moran
	Environ Tech III AC: Admin	144801	Permanent	6140030230	05602	660436	Barbara Schwendthner

